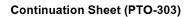
Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)	
10/599,036	AMOH ET AL.	
Fugus!nau	A 4 1114	
Examiner	Art Unit	

ALEXANDER BELOUSOV	2894		
The MAILING DATE of this communication appears on the cover sheet with the	e correspondence add	ress	
THE REPLY FILED 18 September 2009 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.			
1. The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of application, applicant must timely file one of the following replies: (1) an amendment, affidate application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be file periods:	of Appeal. To avoid abar avit, or other evidence, w e with 37 CFR 41.31; or	which places the r (3) a Request	
 a) The period for reply expiresmonths from the mailing date of the final rejection. b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set for no event, however, will the statutory period for reply expire later than SIX MONTHS from the mail Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN TIMENTHS OF THE FINAL REJECTION. See MPEP 706.07(f). 	ing date of the final rejection	on.	
Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1 have been filed is the date for purposes of determining the period of extension and the corresponding amout under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply or set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing of may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL	nt of the fee. The appropria iginally set in the final Offic	ate extension fee be action; or (2) as	
 The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must b filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), Notice of Appeal has been filed, any reply must be filed within the time period set forth in 3 AMENDMENTS 	to avoid dismissal of the		
3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief (a) They raise new issues that would require further consideration and/or search (see Note (b) They raise the issue of new matter (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially appeal; and/or	OTE below);		
(d) They present additional claims without canceling a corresponding number of finally rendered NOTE: <u>See Additional Notes</u> . (See 37 CFR 1.116 and 41.33(a)).		DTOL 2041	
 4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliance of Applicant's reply has overcome the following rejection(s): 6. Newly proposed or amended claim(s) would be allowable if submitted in a separate non-allowable claim(s). 	,	,	
7. For purposes of appeal, the proposed amendment(s): a) will not be entered, or b) how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 1,3,4 and 6-13. Claim(s) withdrawn from consideration:	will be entered and an e	xplanation of	
AFFIDAVIT OR OTHER EVIDENCE			
8. The affidavit or other evidence filed after a final action, but before or on the date of filing a because applicant failed to provide a showing of good and sufficient reasons why the affidawas not earlier presented. See 37 CFR 1.116(e).			
9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appenshowing a good and sufficient reasons why it is necessary and was not earlier presented.	eal and/or appellant fail	s to provide a	
 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after REQUEST FOR RECONSIDERATION/OTHER 11. ☐ The request for reconsideration has been considered but does NOT place the application 	entry is below or attach	ed.	
12. Note the attached Information <i>Disclosure Statement</i> (s). (PTO/SB/08) Paper No(s)13. Other:			
/Kimberly D Nguyen/ Supervisory Patent Examiner, Art Unit 2894 /Alexander Belousov/ Examiner, Art Unit 289			



Application No.